

SELF-SERVICE CENTER

PROCEDURES: WHAT TO DO AFTER THE COURT HEARING-- GUARDIANSHIP AND CONSERVATORSHIP OF AN ADULT

Step 1 What to do after the hearing is over:

- A. GO TO THE CLERK, PROBATE REGISTRAR:** If the Judge/Commissioner grants the PETITION FOR APPOINTMENT, you will need to take the **originals** of the following:

- ORDER OF APPOINTMENT,
- The LETTERS, **AND**
- The ACCEPTANCE OF APPOINTMENT to the Clerk, Probate Registrar.

When you take the documents listed above, the Clerk will:

- Review the ORDER,
- Complete the LETTERS,
- Have you sign the ACCEPTANCE, **AND**
- File the originals.

Note: You should ask the Clerk to certify a copy of the Letters to prove that you have the appointment and authority from the court. There is an **\$18.00 certification fee plus \$0.50 per page** to do this.

- B. BOND:** If the Judge/Commissioner did not waive the bond and ordered that you post a bond for a certain amount, call a bonding company, purchase the bond, and file proof of the original bond amount with the court. Do this **immediately** after the Order is signed, because no Letters will be issued without the bond.
- C. LETTERS OF APPOINTMENT:** Keep a **certified copy** of the Letters to show anyone who needs to know that you have authority from the court to act as guardian and conservator, and what the authority is.
- D. ORDER OF APPOINTMENT:** Keep a copy of this to remember what the Judge/Commissioner ordered you to do specifically in this case.
- E. THE ORDER TO GUARDIANS AND CONSERVATORS:** Keep a copy of this and read it often. This order contains the general instructions about what you are required to do as guardian and conservator. Be sure you know your obligations, and do what you are required to do under the law.

Step 2 What else to do after the court hearing:

- A. FILE ANNUAL REPORT:** You must file this form with the Clerk of the Court **every year on or before the anniversary date** of the order appointing you ORDER OF APPOINTMENT AS GUARDIAN. The annual report tells the court how you are caring for the person and whether the guardianship should be continued. Remember, you must file a petition with the court if you wish to terminate the guardianship and be legally discharged as the guardian. This form is available in the Self-Service Center packet called ***Annual Report of the Guardian***.

B. PROOF OF RESTRICTED ACCOUNT: If the Judge/Commissioner ordered you to put some or all of the ward's money into a restricted account, obey this order **immediately**. Then file the PROOF OF RESTRICTED ACCOUNT FROM DEPOSITORY, signed by the manager at the bank or financial institution that will show the account was properly established

C. ESTATE MANAGEMENT PLAN and FEE STATEMENT: If you are the guardian, conservator or trustee and you are required to file an accounting, you must also file the ESTATE MANAGEMENT PLAN no later than **90 days** after the court order and **every time you file an Accounting**.

Note: Mail a copy of the Management Plan to the protected person's attorney too.

D. FEE STATEMENT: If you are charging a fee as guardian, conservator or trustee, you must file the FEE STATEMENT with the Clerk of the Court.

If for some reason the Court did not waive the bond and ordered you to post a bond and to file an ANNUAL ACCOUNTING, you are required to do the following:

A. INVENTORY AND APPRAISEMENT and PROOF OF MAILING

INVENTORY AND APPRAISEMENT: File this document no later than **90 days** after appointment, to list all the assets and debts of the protected person, and to show how you will care for the person's finances.

Note: Mail a copy to the protected person and to other interested persons.

B. ANNUAL ACCOUNTING and PETITION FOR APPROVAL OF ANNUAL ACCOUNTING: You must file these documents **every year on or before the anniversary date** of the ORDER OF APPOINTMENT AS CONSERVATOR.

Note: The Accounting must be approved by the Judge/Commissioner.

- When you want to be discharged as conservator, you must file a PETITION FOR APPROVAL and A FINAL ACCOUNTING. These forms are available at the Self-Service Center in the packet called ***Petition for Approval of Annual Accounting***.

C. Other help: If you still have questions about this procedure, you can ask a lawyer for legal advice. You can look up a lawyer in the telephone book under attorneys. Also, the Self-Service Center has a list of lawyers who will help you help yourself. The list show where the lawyers are located, how much they charge to look over the court papers or answer your questions, and what their experience is.